

108TH CONGRESS
1ST SESSION

H. R. 1196

To provide a United States voluntary contribution to the United Nations
Population Fund.

IN THE HOUSE OF REPRESENTATIVES

MARCH 11, 2003

Mrs. MALONEY (for herself, Mr. CROWLEY, and Ms. LEE) introduced the
following bill; which was referred to the Committee on International Relations

A BILL

To provide a United States voluntary contribution to the
United Nations Population Fund.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “United Nations Popu-
5 lation Fund (UNFPA) Funding Act of 2003”.

6 **SEC. 2. FINDINGS.**

7 Congress makes the following findings:

8 (1) The Global consensus about the need to de-
9 velop policies that contribute to global population
10 stabilization and the improved status of women is

1 due in large part to the efforts of the United Na-
2 tions and its specialized agencies and organizations,
3 particularly the United Nations Population Fund
4 (UNFPA).

5 (2) Operating in over 142 nations in all regions
6 of the world and as a politically neutral source of
7 funds, UNFPA complements the important work of
8 the United States Agency for International Develop-
9 ment population assistance program.

10 (3) Over $\frac{1}{2}$ of UNFPA's assistance is devoted
11 to providing voluntary family planning and maternal
12 and child health services and it is a major provider
13 of modern methods of contraception to women in the
14 poorest countries in the world. Unwanted pregnancy
15 remains one of the greatest risks to women's health
16 throughout the developing world. More than half a
17 million women die every year from pregnancy related
18 causes, and women who are too young, too old, have
19 too many children or have them too close together
20 are at greatest risk for pregnancy related injury or
21 illness.

22 (4) UNFPA also supports efforts aimed at pre-
23 venting the spread of HIV/AIDS and other sexually
24 transmitted diseases.

1 (5) UNFPA is working to eradicate obstetric
2 fistula, a devastating maternal injury that is fully
3 preventable by having a trained medical attendant
4 present during labor and childbirth. Virtually non-
5 existent within the developed world, it remains a dire
6 threat in poor countries.

7 (6) UNFPA is a global leader to eliminate the
8 horrific practice of female genital mutilation that
9 threatens nearly 2 million young girls every year in
10 more than 20 countries in Africa. More than
11 120,000,000 women alive have already undergone
12 this cruel practice that can result in constant pain,
13 problems with pregnancy and childbirth, infertility
14 and a greater risk of infection with a sexually trans-
15 mitted disease. By working with local organizations
16 to bring about cultural and legal reform, commu-
17 nities are beginning to end this threat to women's
18 health.

19 (7) UNFPA, by allowing women and couples to
20 choose whether and when to have children, has
21 helped to reduce the incidence of abortion around
22 the world. UNFPA does not fund abortion services:
23 it seeks to reduce the incidence of abortion and to
24 provide treatment to women suffering from com-
25 plications of unsafe abortions.

1 (8) Many global environmental problems, in-
2 cluding water shortages, pollution, tropical deforest-
3 ation and the loss of wildlife habitat are linked to
4 rapid population growth. UNFPA has assisted coun-
5 tries around the world plan for and slow population
6 growth, thereby reducing its effects on the environ-
7 ment.

8 (9) All UNFPA programs conform to the prin-
9 ciple, affirmed at the 1994 International Conference
10 on Population and Development by 180 nations, in-
11 cluding the United States, and re-affirmed in 1999,
12 that “all couples and individuals have the basic right
13 to decide freely and responsibly the number and
14 spacing of their children and to have the informa-
15 tion, education, and means to do so.”.

16 (10) UNFPA opposes coercion in any form and
17 all its programs are designed in conformity with uni-
18 versally recognized human rights. When UNFPA
19 hears of coercive tactics in any country, it acts to
20 immediately investigate and eliminate such practices.

21 (11) Opponents of family planning programs
22 have long accused UNFPA of complicity in the coer-
23 cive practices of the Chinese government’s family
24 planning program. Such allegations have consistently
25 been proven false. Over the past two years, three

1 monitoring teams have visited China to investigate
2 UNFPA's program. All three, an international team
3 headed by a former Dutch Ambassador to NATO,
4 a group of members of the British parliament, and
5 a United States group appointed by President Bush,
6 reported that UNFPA had no role in coercion and
7 was, in fact, working to eliminate coercive practices.

8 (12) The United States team reported back on
9 May 29, 2002 and wrote a letter to Secretary of
10 State Colin Powell stating the following:

11 (A) "First Finding: We find no evidence
12 that UNFPA has knowingly supported or par-
13 ticipated in the management of a program of
14 coercive abortion or involuntary sterilization in
15 the PRC."

16 (B) "First Recommendation: We therefore
17 recommend that not more than \$34,000,000
18 which has already been appropriated be re-
19 leased to UNFPA."

20 (13) Despite the recommendation of its own
21 delegation, the Administration invoked a deeply
22 flawed interpretation of Federal law to eliminate
23 funding for UNFPA.

24 (14) The loss of the United States contribution
25 of \$34,000,000, representing fully 13 percent of

1 UNFPA's budget, has already undermined the deliv-
2 ery of necessary services to women throughout the
3 developing world. It is estimated that the loss of this
4 funding could result in 2,000,000 additional un-
5 wanted pregnancies, 4,700 maternal deaths, 60,000
6 cases of serious maternal injury and illness, 77,000
7 infant deaths and 800,000 abortions.

8 **SEC. 3. UNITED STATES VOLUNTARY CONTRIBUTION TO**
9 **THE UNITED NATIONS POPULATION FUND.**

10 In addition to amounts otherwise available to carry
11 out the purposes of chapter 3 of part 1 of the Foreign
12 Assistance Act of 1961, there are authorized to be appro-
13 priated \$50,000,000 for fiscal year 2004 and \$84,000,000
14 for fiscal year 2005 to be available only for United States
15 voluntary contributions to the United Nations Population
16 Fund.

17 **SEC. 4. LIMITATION ON THE UNITED STATES VOLUNTARY**
18 **CONTRIBUTION TO THE UNITED NATIONS**
19 **POPULATION FUND.**

20 (a) LIMITATION.—Notwithstanding any other provi-
21 sion of law, of the funds appropriated for voluntary con-
22 tributions to the United Nations Population Fund for each
23 of the fiscal years 2004 and 2005, an amount equal to
24 the amount allocated by the United Nations Population
25 Fund for the country program in the People's Republic

1 of China during each fiscal year shall be withheld from
2 obligation and expenditure if during such fiscal year, the
3 Secretary of State submits to the appropriate congres-
4 sional committees the certification described in subsection
5 (b).

6 (b) CERTIFICATION.—The Secretary of State shall
7 submit a certification under subsection (a) if the Secretary
8 determines that the country program of the United Na-
9 tions Population Fund in the People’s Republic of China
10 does not meet the following criteria—

11 (1) focuses on improving the delivery of vol-
12 untary family planning information and services;

13 (2) is designed in conformity with the human
14 rights principles affirmed at the International Con-
15 ference on Population and Development with the
16 support of 180 nations including the United States;

17 (3) is implemented only in counties of the Peo-
18 ple’s Republic of China where all quotas and targets
19 for the recruitment of program participants have
20 been abolished and the use of coercive measures has
21 been eliminated;

22 (4) is carried out in consultation with and
23 under the oversight and approval of the UNFPA ex-
24 ecutive board, including the United States represent-
25 ative;

- 1 (5) is subject to regular independent monitoring
- 2 to ensure compliance with the principles of informed
- 3 consent and voluntary participation; and
- 4 (6) suspends operations in project counties
- 5 found to be in violation of program guidelines.

